

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Roberto A. Williams,

Civil No. 23-2181 (DWF/DLM)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Bianca L. Ellison and Johnell L. Gunn,

Defendants.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Douglas L. Micko dated August 29, 2023 (Doc. No. 6). No objections have been filed to the Report and Recommendation in the time period permitted.

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. The Magistrate Judge recommended dismissing this action without prejudice for failure to prosecute. Based upon the Report and Recommendation of the Magistrate Judge and upon all the files, records, and proceedings herein, the Court now enters the following:

ORDER

1. Magistrate Judge Douglas L. Micko's August 29, 2023, Report and Recommendation (Doc. No. [6]) is **ADOPTED**.
2. This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

3. Plaintiff Roberto Williams's application to proceed in district court without prepaying fees or costs (Doc. No. [4]) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 4, 2023

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge